
UNITED STATES DISTRICT COURT

District of Kansas
(WICHITA DOCKET)

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-10141-EFM

CURTIS WAYNE ALLEN, (01)

PATRICK EUGENE STEIN, (02)

and

GAVIN WAYNE WRIGHT, (03)

Defendants.

SECOND SUPERSEDING **INDICTMENT**

THE GRAND JURY CHARGES:

Introductory Allegation

At all times relevant to this Second Superseding Indictment, the term “residents of 312 West Mary Street” refers to the residents, tenants, and owners of an apartment complex located at 312 West Mary Street, Garden City, Kansas, as well as to guests of the residents, tenants, and owners at the complex.

COUNT 1

Beginning on an unknown date, prior to approximately February 2016 and continuing until on or about October 14, 2016, in the District of Kansas, and elsewhere, the defendants,

**CURTIS WAYNE ALLEN,
PATRICK EUGENE STEIN, and
GAVIN WAYNE WRIGHT,**

without lawful authority, conspired with each other and with others, to use a weapon of mass destruction, that is, a destructive device as defined by Title 18, United States Code, Section 921, against people and property within the United States, and (a) the mail and a facility of interstate and foreign commerce was used in furtherance of the offense; (b) the property that was the target of the offense was used in interstate and foreign commerce; (c) a perpetrator travelled in and caused another to travel in interstate and foreign commerce in furtherance of the offense; and (d) the offense, and the results of the offense, would have affected interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2 & 2332a(a)(2).

COUNT 2

Beginning on an unknown date, prior to approximately February 2016 and continuing until on or about October 14, 2016, in the District of Kansas, and elsewhere, the defendants,

**CURTIS WAYNE ALLEN,
PATRICK EUGENE STEIN, and
GAVIN WAYNE WRIGHT,**

knowingly and willfully combined, conspired, and agreed with each other and with others to injure, oppress, threaten, and intimidate the residents of 312 West Mary Street in the free exercise and enjoyment of rights and privileges secured to them by the laws and Constitution of

the United States; that is, the right to sell, purchase, rent, and occupy a dwelling without injury, intimidation, and interference because of race, national origin, and religion.

All in violation of Title 18, United States Code, Section 241.

COUNT 3

On or about the 25th day of September, 2016, in the District of Kansas, the defendant,

PATRICK EUGENE STEIN,

knowingly carried and used a firearm, that is, a black semi-automatic handgun, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States; that is, conspiracy to use a weapon of mass destruction, in violation of Title 18, United States Code, Section 2332a, as charged in Count 1 of this Second Superseding Indictment, and civil rights conspiracy, in violation of Title 18, United States Code, Section 241, as charged in Count 2 of this Second Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 4

On or about the 12th day of October, 2016, in the District of Kansas, the defendant,

CURTIS WAYNE ALLEN,

who had been convicted of a misdemeanor crime of domestic violence, to wit: misdemeanor domestic battery, in violation of Section 5.10.025(a)(1) of the Wichita Municipal Code, Case No. 07C2542, on March 31, 2008, in the Municipal Court of Wichita, Kansas, knowingly possessed, in and affecting interstate or foreign commerce, the following firearms, along with associated magazines and ammunition:

- a. a Remington Arms, Model 10A, 12 gauge shotgun;

- b. a Montgomery Ward, Model Hercules 1929, 12 gauge shotgun;
- c. a Remington Arms, Model 552, .22 caliber rifle;
- d. an unknown make and model .50 caliber BMG rifle;
- e. a Hamilton Rifle Company, Model 2, .22 caliber rifle;
- f. a Century Arms International, Model GP/WASR-10/63, 7.62mm assault rifle;
- g. a Parker Brothers, Trojan Model, 12 gauge shotgun;
- h. a Heritage Manufacturing, Model RR22B4, .22 caliber pistol;
- i. a Colt, Model Peacemaker 22 Scout, .22 caliber pistol;
- j. a Sharps Company, Pepperbox Model, .22 caliber pistol;
- k. a J. Stevens, Model 12 Marksman, .22 caliber rifle;
- l. a Stevens Arms, Model 94, 12 gauge shotgun;
- m. a Winchester, Model 1906, .22 caliber rifle;
- n. a Loomis LXL No. 19, 10 gauge shotgun;
- o. a Winchester, Model 12, 12 gauge shotgun;
- p. a Springfield Armory, Model SAR-8, 7.62mm assault rifle;
- q. a Ruger, Model 10/22, .22 caliber rifle;
- r. a Ruger, Model 10/22, .22 caliber rifle;
- s. an unknown make, Model SKS, 7.62mm assault rifle;
- t. a Colt, Model 1911A1, .45 caliber semi-automatic pistol; and
- u. a Glock, Model 19, 9mm semi-automatic pistol.

These firearms and the associated ammunition and magazines had been transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(9) and 924(a)(2).

COUNT 5

On or about the 14th day of October, 2016, in the District of Kansas, the defendant,

PATRICK EUGENE STEIN,

knowingly carried and used a firearm, that is, a Sig Sauer P250 9mm semi-automatic handgun, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States; that is, conspiracy to use a weapon of mass destruction, in violation of Title 18, United States Code, Section 2332a, as charged in Count 1 of this Second Superseding Indictment, and civil rights conspiracy, in violation of Title 18, United States Code, Section 241, as charged in Count 2 of this Second Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SIX

On or about October 12, 2016, in the State and District of Kansas, the defendant,

GAVIN WAYNE WRIGHT,

knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation (“FBI”), an agency of the Executive Branch of the government of the United States. Specifically, in an investigation of an offense involving domestic terrorism as defined in Title 18, United States Code, Section 2331, defendant WRIGHT made the following false statements to a Special Agent of the FBI: (1) that WRIGHT did not know anything about defendant ALLEN manufacturing explosive devices at WRIGHT’s business, G&G Homes; (2) that WRIGHT had no knowledge of any explosives being located on the premises of his business, G&G Homes; (3) that WRIGHT was not a member of a militia; (4) that defendant ALLEN had not invited WRIGHT to a meeting

of the Kansas Security Force (“KSF”); and (5) that WRIGHT had provided the FBI with all of his personal knowledge about ALLEN during the interview. In truth and in fact, as defendant WRIGHT well knew, his statements to the Special Agent of the FBI were false and were intended to mislead the FBI as to WRIGHT’s knowledge of and personal involvement in the allegations contained in Counts 1-5 of this Second Superseding Indictment.

All in violation of Title 18, United States Code, Section 1001.

FORFEITURE ALLEGATION

1. The allegations contained in Counts Three through Five of this Second Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the offenses alleged in Counts Three through Five of this Second Superseding Indictment, the defendants,

CURTIS WAYNE ALLEN
and
PATRICK EUGENE STEIN,

shall forfeit to the United States of America any firearm used in the commission of the offenses in Counts Three through Five, including, but not limited to, each firearm listed in each of those counts, along with any associated magazines and ammunition.

All pursuant to Title 18, United States Code Section 924(d), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

March 15, 2017
DATE

s/Foreperson
FOREPERSON OF THE GRAND JURY

s/Thomas E. Beall
THOMAS E. BEALL
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**It is requested that the trial be
held in Wichita, KS**